

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

Civil Action No.

Kev & Cooper Limited Liability Company,

Plaintiff

v.

Ling Chen; Amazon store dba Ashlyef;

Does 1-10

Defendants.

Complaint for Copyright Infringement

DEMAND FOR JURY TRIAL

Plaintiff Kev & Cooper Limited Liability Company, by its undersigned attorneys, as and for its Complaint against Ling Chen and the Amazon store doing business under the designation Ashlyef, and all of those acting in concert with them, alleges on information and belief, and otherwise as to its own knowledge as follows:

INTRODUCTION

1. Plaintiff Kev & Cooper Limited Liability Company (“Kev & Cooper” or “Plaintiff”) is a designer, manufacturer, retailer and wholesaler of children’s furnishings, primarily children’s educational rugs bearing creative and playful designs and artwork.
2. Defendants Ling Chen and Ashlyef (“Defendants”) compete with Kev & Cooper and have, without authorization, intentionally copied, offered for sale, and sold rugs bearing the Plaintiff’s copyrighted artworks or derivatives thereof in direct competition with Plaintiff.
3. This action is brought to recover damages arising from Defendants’ misappropriation of Plaintiff’s copyrighted works, as well as to obtain temporary and permanent injunctive relief barring Defendants’ future sale of products infringing the Plaintiff’s copyrighted designs.

JURISDICTION AND VENUE

4. This action arises under the Copyright Act of 1976, Title 17 U.S.C. § 101, *et seq.*

5. This Court has federal question jurisdiction under 28 U.S.C. §§ 1331 and 1338.
6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(a).
7. This Court has personal jurisdiction over Defendants, because upon information and belief both Amazon and Defendants have conducted business in the State of Illinois in connection with this proceeding, and upon information and belief have contracted with Illinois customers for sales, purchase and delivery of the infringing goods to Illinois, as well as upon information and belief have advertised and sold the infringing products that are the subject of this suit to Illinois residents.

PARTIES

8. Plaintiff Kev & Cooper is a New Jersey limited liability company in good standing, and has a place of business at 2 Cranberry Rd, Unit 1A, Parsippany, New Jersey.
9. Plaintiff designs, manufactures and sells educational rugs that are designed to appeal to children.
10. Defendants are a Chinese individual, doing business for an entity, or as an Amazon store, named Ashlyef and purporting to have a place of business at Xuejia Village, Gulin Town, Haishu Dist. Ningbo, Zhejiang Prov., CHINA 315000.
11. Defendants are direct competitors of Plaintiff, and create, commission, advertise, sell and deliver rugs across the United States.
12. Does 1-10 are third parties unknown to Plaintiff may have contributed to and profited from the infringement alleged herein, and because such individuals and/or corporations are unknown to Plaintiff, it may seek leave to amend this Complaint when such parties' names and capacities have been ascertained.

PLAINTIFF'S COPYRIGHTED DESIGN

13. The artwork for Plaintiff's ABC Shapes rug (the "ABC Shapes Design") was created in early 2016. A copy of the ABC Shapes Rug bearing the ABC Shapes Design is attached hereto as Exhibit A.

14. Plaintiff's ABC Shapes Design is an original works of authorship and constitutes copyrightable subject matter under the laws of the United States.

15. The design of the ABC Shapes Design, as well as the selection, arrangement, organization and depiction of the elements comprising the ABC Shapes Design, and the icons and artwork depicted therein, constitute original works of authorship protectable under the Copyright Act, and Plaintiff has at all times after its creation, owned all rights, title and interest in and to the copyrights in the ABC Shapes Design.

16. Plaintiff applied for, and the United Copyright Office has granted a copyright registration for the ABC Shapes Design, which has been assigned the US Copyright Registration Nos. VA0002139787.

DEFENDANT'S INFRINGING ACTS

17. Plaintiff has discovered that Defendants or either of them created, caused to be manufactured, displayed, imported, offered for sale, and/or sold children's educational rugs that bear a design strikingly or substantially similar to the ABC Shapes Design, all without Plaintiff's authorization and well after Plaintiff's publication and widespread offer for sale of rugs bearing the ABC Shapes Design, and well after Plaintiff registered its copyrights in the ABC Shapes Design (the "Infringing Rug"). The Infringing Rug is categorized on Amazon as ASIN: B0DSB9VCQF.

18. The Infringing Rug was sold by Defendants or either of them, upon information and belief, on Amazon.com's Internet marketplace to the public including to Illinois residents. An image of the Infringing Rug is attached hereto as Exhibit B and the Amazon listing is attached hereto as Exhibit C. The Infringing Rug was sold under the Amazon brand "BEQHAUSE".

19. Unless enjoined and restrained, Defendants' conduct threatens to further infringe Plaintiff's copyright interests and damage Plaintiff.

**FIRST CLAIM FOR RELIEF
(Copyright Infringement of Plaintiff's ABC Shapes Design)**

20. Plaintiff repeats and realleges and incorporates by reference the above allegations.

21. Plaintiff's ABC Shapes Design is an original work of authorship and constitutes copyrightable subject matter under the laws of the United States.

22. Plaintiff owns the exclusive rights and privileges in and to the ABC Shapes Design and has at all times after its creation, owned all rights, title and interest in and to the copyright in the ABC Shapes Design, and has received from the Register of Copyrights a certificate of registration evidencing same.

23. Subsequent to Plaintiff's publication of the ABC Shapes Design, and on information and belief with full knowledge of Plaintiff's rights, Defendants or Defendants' agent(s) infringed said copyright by copying the ABC Shapes Design and by using such design on the Infringing Rug which has been sold and distributed in Illinois, elsewhere in the United States, and abroad.

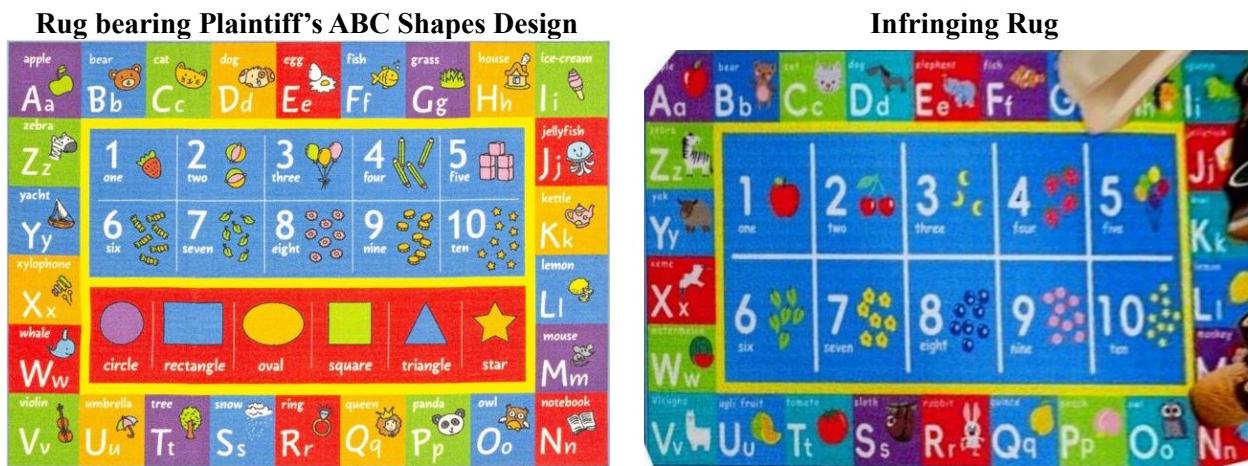
24. All of Defendants' acts were performed without the permission, authorization or license of Plaintiff.

25. Upon information and belief, Defendants, or Defendants' agents or manufacturers, prior to producing the Infringing Rug, had access to the ABC Shapes Design, including, without limitation, either through access to Plaintiff's rugs or advertising materials, or access to

unauthorized reproductions in the possession of Defendants, or their manufacturers, other vendors, retailers or consumers in the marketplace.

26. Subsequent to Plaintiff's publication of the ABC Shapes Design, and on information and belief, with full knowledge of Plaintiff's rights, Defendants or Defendants' agent(s) infringed said copyright by copying the ABC Shapes Design and by creating a derivative work, which includes the same expression, almost the identical selection, and a very similar arrangement of almost every element, which collectively constitutes copyright infringement.

27. Images of the Plaintiff's rug bearing its ABC Shapes Design compared to Defendants' Infringing Rug are below.



28. Defendants' conduct is and has at all times been willful and constitutes infringement of Plaintiff's rights in Plaintiff's ABC Shapes Design in violation of 17 U.S.C, § 101, *et seq.*

29. Defendants' conduct has caused and continues to cause Plaintiff irreparable injury, loss and damage to Plaintiff and its ownership rights in Plaintiff's ABC Shapes Design, and unless such acts are enjoined, they will continue to cause such injury, which in addition to financial damages, threaten to cause Plaintiff irreparable harm for which there is no adequate legal remedy.

30. Due to Defendants' infringement of Plaintiff's ABC Shapes Design, Plaintiff has suffered, and continues to suffer substantial damages in an amount to be established at trial.

31. Defendants have obtained profits (direct and indirect) from their infringing acts, which profits Defendants would not have otherwise realized but for its infringement of the ABC Shapes Design.

32. In light of the foregoing, Plaintiff is entitled to recover from Defendants statutory damages in the amount of \$150,000 per work in this action, or alternatively, at its election, Plaintiff is entitled to its actual damages, including, without limitation disgorgement of Defendants' profits directly and indirectly attributable to Defendants' infringement of the ABC Shapes Design in amounts that are not ascertainable but which are to be established at trial, and which are believed to be in excess of \$150,000.

33. Plaintiff also is entitled to recover from Defendants its reasonable attorneys' fees in this action as the Defendants' infringement of the Plaintiff's ABC Shapes Design took place after the date of Plaintiff's registration of the work.

WHEREFORE, Plaintiff requests judgment from the Court, as follows:

A. Finding that Defendants or either of them have infringed the Plaintiff's copyrighted ABC Shapes Design, and granting to Plaintiff an award of (i) actual damages sustained by Plaintiff, including, without limitation, lost sales, a reasonable royalty, and any profits realized by Defendants as a direct or indirect result of Defendants' infringement, to the extent that such recoveries are not duplicative; or, at Plaintiff's election, and to the extent permitted by the Copyright Act, (ii) an award of statutory damages up to \$150,000 per work infringed by Plaintiff; and

- B. Ordering that Defendants immediately cease all use of the Plaintiff's copyrighted works and all substantially similar derivative works. Such relief is necessary to stop the ongoing harm to Plaintiff, as well as harm to consumers, and to prevent the Defendants from continuing to benefit from their illegal conduct; and
- C. Ordering that Defendants, their officers, agents, servants, employees, related companies, parent companies, subsidiary companies, licensees, assigns, members and all parties in privity and/or acting in concert with it, be enjoined and restrained from manufacturing, advertising, promoting, selling, reproducing, displaying, creating derivative works from, and/or distributing the Infringing Rug or any items bearing the ABC Shapes Design or any derivatives; and
- D. Ordering that Defendants and their agents, contractors or distributors segregate all proceeds from orders for any products that infringe the ABC Shapes Design or its derivatives, which have been sold, and to hold such proceeds in trust to be delivered to Plaintiff as the Court may order; and
- E. Ordering that the Defendant surrender to Plaintiff all products or items bearing the ABC Shapes Design or any derivatives or both, in Defendants' possession, custody or control; and
- F. Ordering that the Defendants file with the Court a sworn statement detailing its compliance with the requirements of such Court order or judgment; and
- G. Ordering Defendants to pay to Plaintiff the costs and disbursements of this action, as well as, under 17 U.S.C. § 504(c), Plaintiff's reasonable attorneys' fees under 17 U.S.C. §§ 412 and 505; and
- H. Such other and further relief as the Court may deem just and equitable.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff demands a trial by jury on all applicable issues.

Dated: May 1, 2025

Respectfully Submitted,

/Zeynel Karcio glu/
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